



ZACHARY W. CARTER
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

DANIEL G. SAAVEDRA
Assistant Corporation Counsel
Phone: (212) 356-0892
Fax: (212) 356-3509
Email: dsaavedr@law.nyc.gov

October 31, 2017

BY E.C.F.

Honorable Vera M. Scanlon
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Jeremias Julio v. Officer Theophile, et al.,
17 Civ. 4347 (NGG) (VMS)

Your Honor:

I am an Assistant Corporation Counsel in the Office of Zachary W. Carter, Corporation Counsel of the City of New York, and the attorney assigned to the defense of the above-referenced matter. Defendants Officer Theophile and Sgt. Figliozzi (hereinafter “defendants”) write to respectfully request an additional seven (7) days to respond to plaintiff’s initial demand. Plaintiff’s counsel, Gabriel Harvis, Esq., takes no position on this request.

By way of background, plaintiff Jeremias Julio alleges, *inter alia*, that he was unlawfully arrested by members of the New York City Police Department (“NYPD”) on or about September 17, 2016. Plaintiff further claims that he was pushed by the defendant Police Officers and subjected to tight handcuffing. As a result of this arrest, plaintiff alleges he was detained for approximately eighteen hours prior to his release. On September 27, 2017, the parties appeared for an initial conference before Your Honor. At the conference, the Court endorsed an Initial Scheduling Order pursuant to which defendants are required to respond to plaintiff’s demand by October 31, 2017. *See* Initial Scheduling Order, Docket Entry No. 15, p. 3.

Defendants now request an additional seven (7) days to respond to plaintiff’s initial demand. This extension of time is necessary because this Office is still in the process of evaluating this case for purposes of settlement. Once an internal review process of the case is completed, the Office of the Comptroller must approve any settlement position. Given the

amount of individuals who are involved in the decision, defendants respectfully request an additional seven (7) days to respond to plaintiff's initial demand.

Defendants thank the Court for its consideration of this request.

Respectfully submitted,

/s/

Daniel G. Saavedra
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Gabriel P. Harvis, Esq. (by ECF)
Attorney for Plaintiff